

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1, 3-8, 10-14, and 19-24 remain in this application. Claims 2, 9 and 15-18 have been cancelled.

Claims 1, 3-8, 11-13, 16-17, and 19-24 stand rejected under 35 USC §103(a) as being unpatentable over U.S. patent No. 6,285,916 to Kadaba et al. (hereinafter Kadaba '916) in view of U.S. Patent 5,489,773 to Kumar (hereinafter Kumar '773). For the following reasons, the Examiner's rejection is traversed.

Kadaba '916 teaches a hand held data acquisition device including a scanner, an IR port, and a touch screen. Signature information may be input to the device via the touch screen. In use, the package bar code is scanned into the device using the scanner, and the recipient enters their signature via the touch screen.

Kumar '773 teaches a point of sale transaction device incorporating a bar code scanner and a credit card reader. The bar code scanner may be a compact mechanism for facilitating acquiring information about the items the customer wishes to purchase. The magnetic card reader is a conventional device where a magnetic stripe on a card is wiped across a reading head and the credit card information on the stripe is read.

The Examiner proposes to combine the data acquisition device of Kadaba '916 with the magnetic card reader of Kumar '773. Specifically, the Examiner states

that it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a magnetic card reader to the data acquisition device in addition to the barcode scanner in order to be able to process more information regarding the parcel so as to have a more comprehensive tracking and identification unit. In addition, the Examiner states that the use of a magnetic card reader to read a consumer's magnetic card is conventionally known to be a secure way to determine the authenticity of a recipient. Applicant respectfully does not agree.

Simply put, there must be some suggestion or motivation in the existing art to combine the references in the manner proposed by the Examiner. The present invention cannot be the only motivation to make such a combination.

In response to the Examiner's statement that it would be obvious to employ a magnetic card reader to be able to process more information *regarding the parcel*, Applicant respectfully states this is irrelevant because as claimed the mobile data acquisition device includes a "recipient identification reader being adapted to read machine-readable *recipient* identifications" (emphasis added), not identifications or information of the delivered object.

In response to the Examiner's statement that it would be obvious to employ a magnetic card reader because a consumer's magnetic card is conventionally known to be a secure way to determine the authenticity of a recipient, applicant respectfully does not agree. Although it is well known to use a magnetic card to identify a purchaser for billing purposes during a consumer transaction, such an identification object is not used to identify the recipient of goods via delivery in a consumer transaction or otherwise. Rather, a signature, such as described by Kadaba '916, or the recipient's residence address (e.g. in typical U.S. mail delivery) is used to identify

the recipient.

Further there is no suggestion in the Kadaba '916 reference to combine the teachings of Kumar '773 with those therein. First, there is no suggestion that an additional, or different mode of recipient identification is required. There is no suggestion that the signature recording system is in some way deficient. Second, there is no suggestion that an additional reader, for example a magnetic card reader, is desirable. In fact, the use of a *single* wand both as a bar code reader and stylus is a stated benefit of Kadaba '916. The addition of another information reader would detract from the simplicity of the Kadaba '916 device.

In the absence of the required suggestion or motivation in the art, it must be concluded that the present application forms the only basis for the combination of references. Accordingly, the rejection is invalid for hindsight, and must be withdrawn.

For the foregoing reasons, independent claims 1 and 19 are patentable over the combination of Kadaba '916 and Kumar '773. Reconsideration and withdrawal of the rejection of claims 1 and 19, and claims 3-8, 10-11, and 20-24 that depend therefrom, is hereby requested.

Claim 12 has been amended to include the steps of dependent claim 16. Claims 16-18 have been cancelled. Specifically, the steps of "acquiring information on an addressee of the package" and "confirming whether the recipient is the addressee" have been added to claim 12. One of the drawbacks of an object delivery system, such as that described in Kadaba '916, is that there is no verification of the recipient of the object. Simply put, the recipient may sign any name upon the device touch screen. The system relies upon the honesty of the

recipient. Thus, it is desirable to add increased reliability to such a system by having the recipient provide an identification. Information on the identification may be compared to pre-stored information regarding the addressee.

As previously stated, Kadaba '916 does not disclose a delivery method for more reliably identifying the recipient of the object delivered. Kumar '773 discloses use of a credit card identification, but for its primary purpose, billing in a consumer transaction, and not as an identification to increase the reliability of the proper addressee receiving an object by delivery. As previously stated, for multiple reasons, there is no motivation in the art to combine the teachings of the Kadaba '916 and Kumar '773 references.

Further, even if the teachings of the Kadaba '916 and Kumar '773 references were combined in the manner proposed by the Examiner, the present claimed method would not result. Further modifications of the combination would be required. Specifically, neither references, alone or in combination, teaches comparing information from a recipient identification with package addressee information obtained from an alternate source, as required.

For the foregoing reasons, claim 12 is patentable over the combination of Kadaba '916 and Kumar '773. Reconsideration and withdrawal of the rejection of claim 12 and claim 13 that depends therefrom, is hereby requested.

Claims 10, 14 and 18 stand rejected under 35 USC §103(a) as being unpatentable over Kadaba '916 in view of U.S. Patent No. 6,484,260 to Scott et al. (hereinafter Scott '260).

Scott '260 is cited for teaching a personal identification device for sensing a biometric information of a user. According to Scott '260, a stored biometric

information is compared to a sensed biometric information to identify the user.

With reference to claim 10, it is noted that Scott '260 does not correct the deficiencies of the base Kadaba reference. For example, Scott '260 does not teach or suggest that "the recipient identification reader is designed to read articles selected from the group consisting of: magnetic cards, chip cards, and transponders", as required. In this regard it is noted that the Scott reference is only operable to compare stored biometric information with biometric information read from the user - and does not compare such read biometric information with information stored on, and read from, a machine readable medium.

With reference to claim 14, it is further noted that Scott '260 does not correct the deficiencies of the base Kadaba reference. In this regard the Examiner is referred to the discussion of claim 12, provided above.

Reconsideration and withdrawal of the rejections of claims 10 and 14 is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. COH-12726.

Respectfully submitted,

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